

09/695,279
DOCKET NO. 00USFP543-M.K.

12

REMARKS

Claims 1-23 and 27-34 are all the claims presently pending in the application. Claims 1, 8, 14, and 19 are amended to more clearly define the invention. Claims 1, 8, 14, and 19 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicant also notes that, notwithstanding any claim amendments herein or later during prosecution, Applicant's intent is to encompass equivalents of all claim elements.

Entry of this §1.116 Amendment is proper. Since the Amendments above narrow the issues for appeal and since such features and their distinctions over the prior art of record were discussed earlier, such amendments do not raise a new issue requiring a further search and/or consideration by the Examiner. As such, entry of this Amendment is believed proper and Applicant earnestly solicits entry. No new matter has been added.

Applicant appreciates the courtesies extended to the Applicant's representative during a telephone interview on June 15, 2005. During the telephone interview, the Examiner Nguyen agreed that the above-amendments to the independent claims clarify the features of the buffer memory emulator of the wireless communication gateway server and that these features clearly distinguish the wireless communication gateway server over the base station BS, base station controller BSC, and the mobile switching center MSC.

In particular, during the June 15, 2005, telephone interview, Examiner Nguyen alleged that the base station BS, base station controller BSC, and the mobile switching center MSC that are disclosed by the Chang et al. reference correspond to the claimed plurality of wireless

09/695,279
DOCKET NO. 00USFP543-M.K.

13

communication gateway servers, the switching apparatus and the wireless telephony server.

Further, Examiner Nguyen alleged that the MS-BS association table that is disclosed by the Chang et al. reference at, for example, column 6, lines 8-45, corresponds to the buffer memory emulator.

The above-amendments clarify that the buffer memory emulator includes one of a buffer memory size and a consumed size of the buffer memory.

Therefore, contrary to the Examiner's allegations, none of the base station BS, base station controller BSC, and the mobile switching center MSC that are disclosed by the Chang et al. reference corresponds to the claimed plurality of wireless communication gateway servers because none of the base station BS, base station controller BSC, and the mobile switching center MSC that are disclosed by the Chang et al. reference include a buffer memory emulator that includes one of a buffer memory size and a consumed size of the buffer memory.

Further, none of the applied references teaches or suggests informing the position of the portable terminal to the plurality of wireless communication gateway servers that include a buffer memory emulator, let alone a wireless telephony server that informing the position of the portable terminal to the plurality of wireless communication gateway servers that include a buffer memory emulator.

Lastly, Applicant respectfully submits that the Examiner fails to provide the claims with "their broadest reasonable interpretation consistent with the specification." (M.P.E.P. § 2111).

For example, the Examiner's allegation that the claimed wireless communication gateway servers corresponds to the base station controllers that are disclosed by the Chang et

09/695,279
DOCKET NO. 00USFP543-M.K.

14

al. reference and that the buffer memory emulator corresponds to the BS-MS table that is disclosed by the Chang et al. reference stretches the claims beyond "their broadest reasonable interpretation consistent with the specification." (Id.)

Applicant respectfully submits that the Examiner fails to interpret the claims in accordance with the plain meaning of the language of the claims in accordance with the meaning of the language that one of ordinary skill in the art would interpret the claim language.

"THE WORDS OF A CLAIM MUST BE GIVEN THEIR 'PLAIN MEANING' UNLESS THEY ARE DEFINED IN THE SPECIFICATION"

"This means that the words of a claim must be given their plain meaning unless applicant has provided a clear definition in the specification . . . Ordinary, simple English words whose meaning is clear and unquestionable, absent any indication that their use in a particular context changes their meaning, are construed to mean exactly what they say."

"'PLAIN MEANING' REFERS TO THE ORDINARY AND CUSTOMARY MEANING GIVEN TO THE TERM BY THOSE OF ORDINARY SKILL IN THE ART"

"Claim terms are presumed to have the ordinary and customary meanings attributed to them by those of ordinary skill in the art. In the absence of an express intent to impart a novel meaning to the claim terms, the words are presumed to take on the ordinary and customary meanings attributed to them by those of ordinary skill in the art." M.P.E.P. § 2111

09/695,279
DOCKET NO. 00USFP543-M.K.

15

In the present application, as explained earlier, the Examiner fails to provide the claim terms "buffer memory," "wireless communication gateway server," "buffer memory emulator," and "switching apparatus" with the ordinary and customary meanings given to these terms by those of ordinary skill in the art.

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 1-23 and 27-34, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

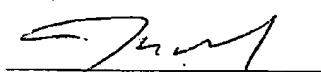
09/695,279
DOCKET NO. 00USFP543-M.K.

16

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

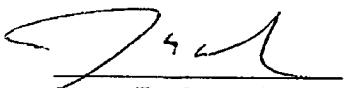
Date: 6/17/05


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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Supplemental Amendment and Applicant's Interview Summary by facsimile with the United States Patent and Trademark Office to Examiner David Q. Nguyen, Group Art Unit 2681 at fax number (703) 872-9306 this 17th day of June, 2005.


James E. Howard, Esq.
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